

Effective 5/12/2015

30-1-6 Who may solemnize marriages -- Certificate.

- (1) Except for a county clerk, or a county clerk's designee, as provided below, the following persons may solemnize a marriage at that person's discretion:
 - (a) ministers, rabbis, or priests of any religious denomination who are:
 - (i) in regular communion with any religious society; and
 - (ii) 18 years of age or older;
 - (b) Native American spiritual advisors;
 - (c) the governor;
 - (d) the lieutenant governor;
 - (e) mayors of municipalities or county executives;
 - (f) a justice, judge, or commissioner of a court of record;
 - (g) a judge of a court not of record of the state;
 - (h) judges or magistrates of the United States;
 - (i) the county clerk of any county in the state or the county clerk's designee as authorized by Section 17-20-4;
 - (j) the president of the Senate;
 - (k) the speaker of the House of Representatives; or
 - (l) a judge or magistrate who holds office in Utah when retired, under rules set by the Supreme Court.
- (2) A person authorized under Subsection (1) who solemnizes a marriage shall give to the couple married a certificate of marriage that shows the:
 - (a) name of the county from which the license is issued; and
 - (b) date of the license's issuance.
- (3) As used in this section:
 - (a) "Judge or magistrate of the United States" means:
 - (i) a justice of the United States Supreme Court;
 - (ii) a judge of a court of appeals;
 - (iii) a judge of a district court;
 - (iv) a judge of any court created by an act of Congress the judges of which are entitled to hold office during good behavior;
 - (v) a judge of a bankruptcy court;
 - (vi) a judge of a tax court; or
 - (vii) a United States magistrate.
 - (b)
 - (i) "Native American spiritual advisor" means a person who:
 - (A) leads, instructs, or facilitates a Native American religious ceremony or service or provides religious counseling; and
 - (B) is recognized as a spiritual advisor by a federally recognized Native American tribe.
 - (ii) "Native American spiritual advisor" includes a sweat lodge leader, medicine person, traditional religious practitioner, or holy man or woman.
- (4) Except as provided in Section 17-20-4, and notwithstanding any other provision in law, no person authorized under Subsection (1) to solemnize a marriage may delegate or deputize another person to perform the function of solemnizing a marriage.

Amended by Chapter 46, 2015 General Session